

Application No. 10/801,694
Amendment Dated April 14, 2008
Reply of Office Action of February 1, 2008

Docket No.: 0505-1280P
Art Unit: 2618
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AMENDMENTS TO THE DRAWINGS

One sheet of Replacement Drawings is attached herewith, in which FIGS. 3A. and 3B have been amended to properly designate front side 92f and rear side 92r of internal member 92 of the vehicle seat 90.

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1, 3, 7, 9, 15, 17, 20, and 22-27 are currently being prosecuted. Claims 1, 9, and 17 are independent. The Examiner is respectfully requested to reconsider his rejection in view of the Amendments and Remarks as set forth hereinbelow.

Request for Reconsideration / Reasons for Entry of Amendments

At the outset, it is respectfully submitted that the rejections of at least claims 22-27 and the objections to the drawings and the specification are not proper and should be withdrawn. See arguments below.

By way of this Reply, each of independent claims 1, 9, and 17 has been amended to incorporate a portion of the subject matter previously set forth in claims 22-27. No new matter has been added to any claim by way of this amendment

Accordingly, the claims of this Reply include only subject matter that has previously been considered and examined by the Examiner, and these claims as amended DO NOT raise any new issues that would warrant or require an additional search of the related art on the part of the Examiner.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by addressing the objections to the specification and drawings, and overcoming the rejection of claim 22-27 under 35 U.S.C. § 112, first paragraph. This Amendment was not presented at an earlier date in view of the fact that the Applicant did not fully appreciate the Examiner's position until the Final Office Action was reviewed, and concluded that the Examiner had erred in his objections and rejections. It is respectfully requested that the Examiner reconsider and withdraw his objections and rejections made in this Final Office Action. Entry of this Amendment is requested.

Objection To The Specification

The Examiner alleges that new matter was added to the specification in the previous Reply. The Applicant respectfully disagrees. Nonetheless, paragraph [0032] of the specification has been amended to provide antecedent basis for additional elements set forth in the claims, including elements 92, 92f, 92r, and 91. Each of these elements was clearly illustrated in the drawings as originally filed. No new matter has been added. Reconsideration and withdrawal of the objection are respectfully requested.

Objection To The Drawings

One sheet of replacement drawings is attached herewith, in which FIG. 3A. and 3B have been amended to properly designate front side 92f and rear side 92r of internal member 92, and seat surface 91 of the vehicle seat 90. Each of these elements was clearly illustrated in the drawings as originally filed. No new matter has been added. Reconsideration and withdrawal of the objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, first paragraph

Claims 22-27 stand rejected under 35 U.S.C. § 112, first paragraph. This rejection is respectfully traversed.

Multiple tags are clearly illustrated in FIG. 3A of the drawings as originally filed.

In addition, the Applicant has voluntarily amended claims 1, 7, 9, 15, 17, 20, and 22-27. Support for these amendments can be seen in FIG. 3A. In addition, Applicant has amended the specification in order to provide proper antecedent basis in the specification for each of the elements in the claimed subject matter.

The Applicant respectfully submits that the claims, as amended, are fully supported by and adequately described in the written description of the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejection Under 35 U.S.C. § 103(a)

Claims 1, 3, 7, 9, 11, 15, 17, and 20 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Johannes (NL 9101758) in view of Yassin et al. (U.S. Patent 6,505,780). This rejection is respectfully traversed.

Arguments regarding Independent Claims 1, 9, and 17

While not conceding the appropriateness of the Examiner's rejections, but merely to advance the prosecution of the present application, each of independent claims 1, 9, and 19 has been amended to recite a combination of elements directed to a vehicle, including *inter alia*

“first and second tags being attached inside the resin member, ...

wherein the first tag is located adjacent to a front of the seat and the second tag is located adjacent to a rear of the seat so that a distance between the first tag and an outside of the front of the seat is small, and a distance between the second tag and the rear of the seat is small, such that the identification information of the vehicle can be obtained via a tag reader placed near either the first tag or the second tag attached inside the primary vehicle seat”.

These features are supported at least by FIGS. 3A and 3B. FIG. 3A illustrates the first tag is located (at 71a) adjacent to a front of the seat and the second tag is located (at 71f) adjacent to a rear of the seat so that a distance between the first tag and an outside of the front of the seat is small, and a distance between the second tag and the rear of the seat is small, such that the identification information of the vehicle can be obtained via a tag reader placed near either the first tag or the second tag attached inside the primary vehicle seat.

By contrast, as the Examiner concedes, Johannes does not teach the tag attached inside said resin member of said vehicle seat. The Examiner then points to Yassin et al. (column 5, lines 19-30) alleging that this document makes up for the deficiency of Johannes.

However, as can be understood from Yassin et al. column 5, lines 19-30, this document merely discloses a single RFID tag 2 configured to be carried by the driver of a

vehicle to unlock the door of the vehicle, in which case the single RFID reader 1A is positioned appropriately. Alternatively, if the single RFID tag 2 is not used to unlock the vehicle, the RFID reader 1A may be placed inside the vehicle, such as within or near the driver's seat.

Nowhere do Yassin et al. provide any hint or suggestion that

“the first tag is located adjacent to a front of the seat and the second tag is located adjacent to a rear of the seat so that a distance between the first tag and an outside of the front of the seat is small, and a distance between the second tag and the rear of the seat is small, such that the identification information of the vehicle can be obtained via a tag reader placed near either the first tag or the second tag attached inside the primary vehicle seat”, as set forth in each of claims 1, 9, and 17 of the present invention.

At least for the reasons set forth above, the combination of elements set forth in each of independent claims 1, 9, and 17 is not taught or suggested by the combination of references cited by the Examiner, including Johannes and Yassin et al.

Therefore, independent claims 1, 9, and 17 as previously presented are in condition for allowance.

Dependent Claims

The Examiner will note that dependent claims 7, 15, 20, and 22-27 have been amended to set forth additional novel features of the present invention. All dependent claims are now in condition for allowance due to their dependence from allowable independent claims, or due to the additional novel features set forth therein.

For example, each of dependent claims 22, 23, and 24 sets forth a combination of elements, including

“the vehicle seat includes an internal member extending between the front side and the rear side of the vehicle seat,

wherein a front side of the internal member faces substantially in a forward

direction, and a rear side of the internal member faces substantially in a rearward direction, wherein the first tag is disposed on the front side of the internal member, and wherein the second tag is disposed on the rear side of the internal member”.

See FIG. 3A, which clearly illustrate internal member 92, front side 92f, rear side 92r, and RFIDs at positions 71a and 71f.

As pointed out above, Yassin et al. merely disclose a single RFID reader 1A inside a vehicle seat of an automobile. However, nowhere in Yassin et al. is there any hint of the combination of elements set forth in claims 22-24, including

“the vehicle seat includes an internal member extending between the front side and the rear side of the vehicle seat,

wherein a front side of the internal member faces substantially in a forward direction, and a rear side of the internal member faces substantially in a rearward direction, wherein the first tag is disposed on the front side of the internal member, and wherein the second tag is disposed on the rear side of the internal member”.

For the Yassin et al. document to be valid prior art reference in the rejection of the claims of the present invention, Yassin et al. must disclose each and every element set forth in the claims. Yassin et al. fail to do that. The Examiner should understand that Yassin et al. provides no disclosure whatsoever of the combination of elements (or the structural relationship among the elements) as set forth in dependent claims 22-24.

Therefore, dependent claims 22-24 are not taught or suggested by any combination of Johannes and Yassin et al.

Siimilarly, dependent claims 25-27 are not taught or suggested by any combination of Johannes and Yassin et al.

All claims of the present application are now in condition for allowance

CONCLUSION

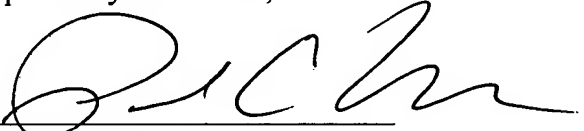
In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Carl T. Thomsen, Registration No. 50,786, at direct line (703) 208-4030 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

Paul C. Lewis
Registration No.: 43,368
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment: One Sheet of Replacement Drawings (FIGS. 3A and 3B)